

Public Notice

Public Notice No.

05-100

Date: December 21, 2005

Nashville District

Application No. 2005-02413

Please address all comments to: Nashville District Corps of Engineers, Regulatory Branch 3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE US ARMY CORPS OF ENGINEERS AND TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Fixed Boat Docks, Dredging, and Courtesy Dock, Tennessee River Mile 515.3 Left Bank, Chickamauga Lake, in Meigs County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899** and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act (16 USC 831y-1).**

APPLICANT: Ryan Cameron/Chris Creekmore

Seneca Land Corporation

34 Pace Ave.

Crossville, TN 38555

LOCATION: Mile 515.3 L, Tennessee River, in Meigs County, TN, Chickamauga Lake

lat: 35-30-31 lon: 84-51-04

USGS: Decatur, Tennessee Quadrangle

DESCRIPTION: The applicant is proposing to construct fixed boat docks and a courtesy dock. The applicant also proposes to dredge material for navigational access in the immediate area of the proposed fixed docks. The proposed work would be associated with the construction of a planned residential community.

a. The applicant proposes the construction of fixed boat slips (2 docks: 10 double slips and 9 double slips totaling 19 double slips to accommodate 38 boats). The size and configuration of the proposed docks relative to the shoreline at this location is included in plans accompanying this notice. Slips would be constructed of wood framing and decking. Covered slips (optional) would have metal roofing. Docks would not extend more than one-third of the width of the shoreline at summer pool elevation of 682.5.

- b. The applicant proposed to dredge approximately 2500 cubic yards of bottom material for navigational access at the location shown on the included drawings. The bottom of the cut would range from 677.5 to 678.5. Summer pool elevation of Chickamauga Lake is 682.5. Dredged material would be deposited at an approved location above the 500 year flood elevation and stabilized. No dredging would occur any closer than 10' from the normal summer pool elevation of 682.5 and the cut slope will exceed 3:1.
- c. The applicant has requested that the Corps of Engineers verify that other project activities meet the criteria for authorization under the Nationwide Permit Program [January 15, 2002, Federal Register (Vol. 67, No. 10, pg 2020)]. The additional activities proposed consist of the placement of two channel markers off the main channel of the river and a boat launching ramp specified in the attached plans.

Plans of the revised proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work.

This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer and the U.S. Department of the Interior, National Park Service - Atlanta.

Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

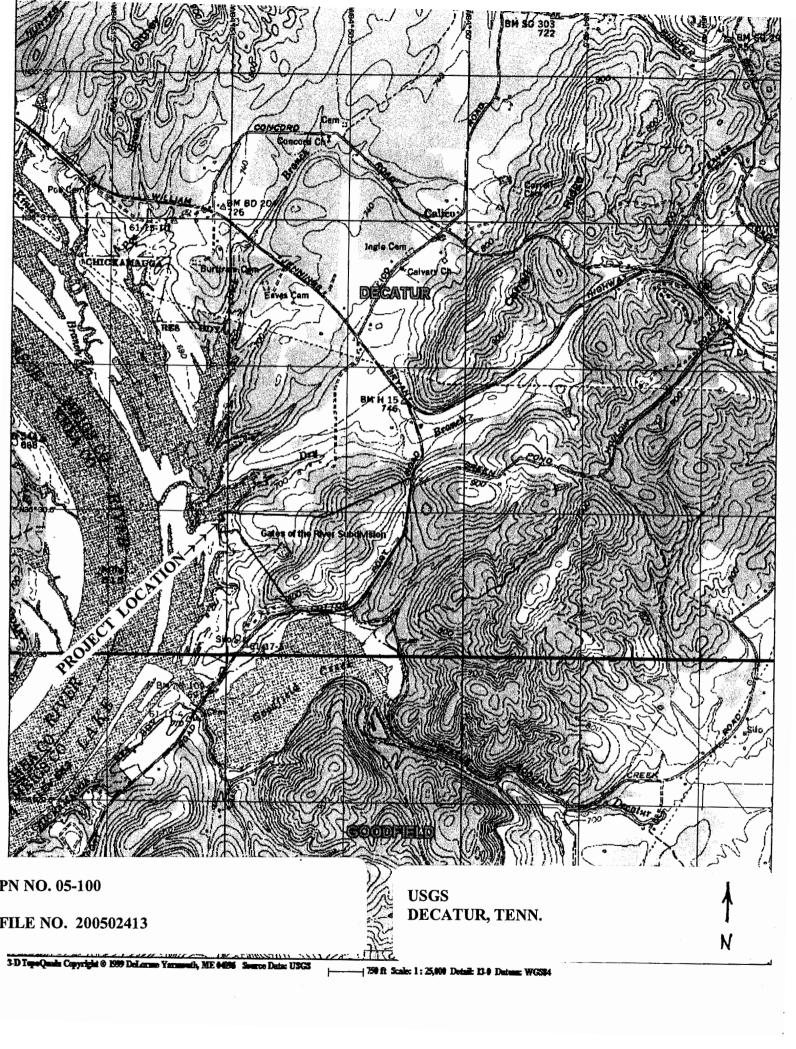
Other federal, state, and/or local approvals required for the proposed work are as follows:

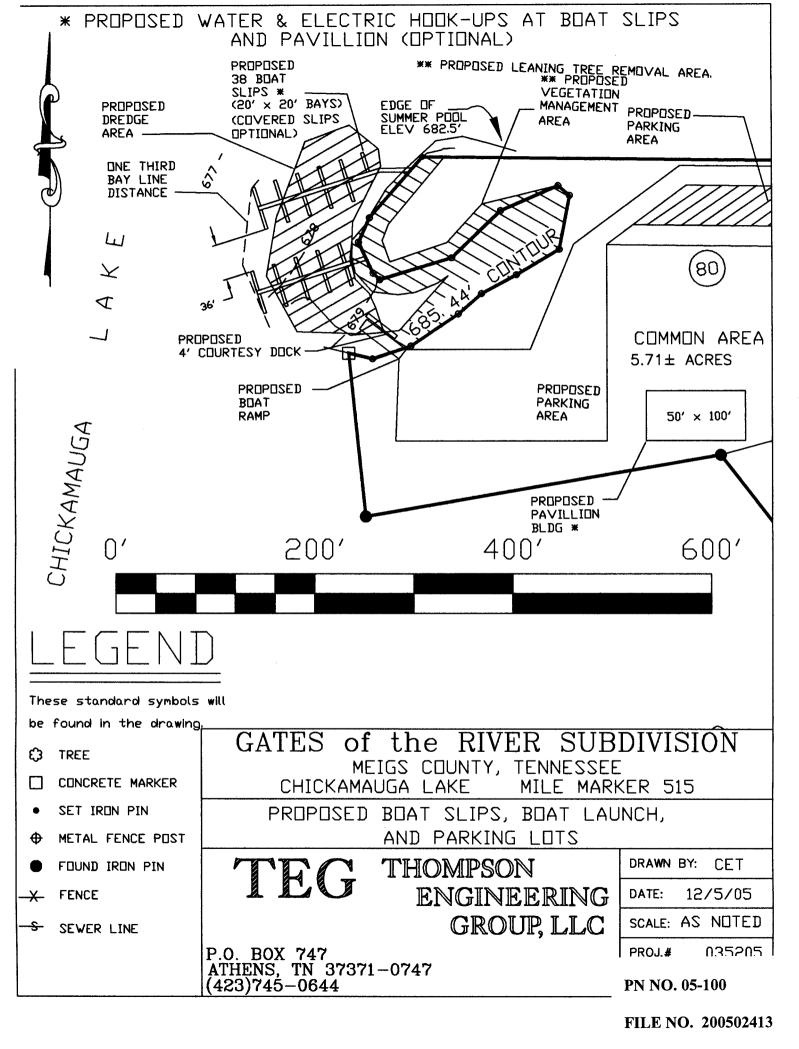
- Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts. TVA would also review and expansion of harbor limits.

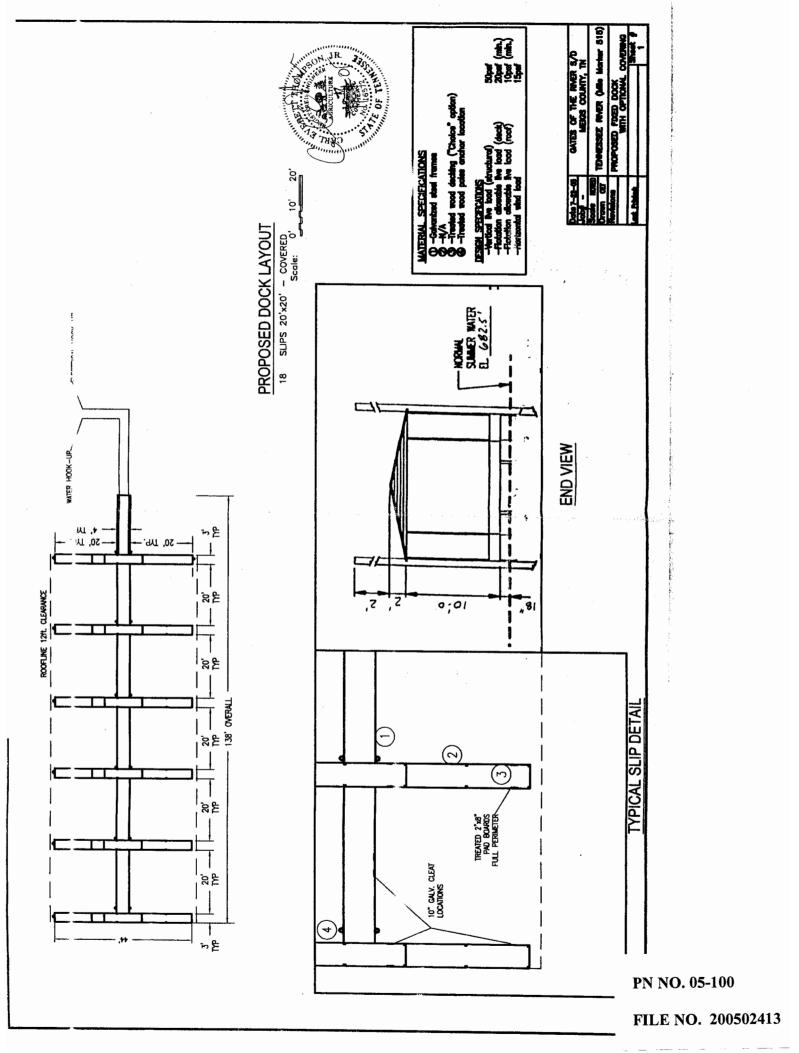
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

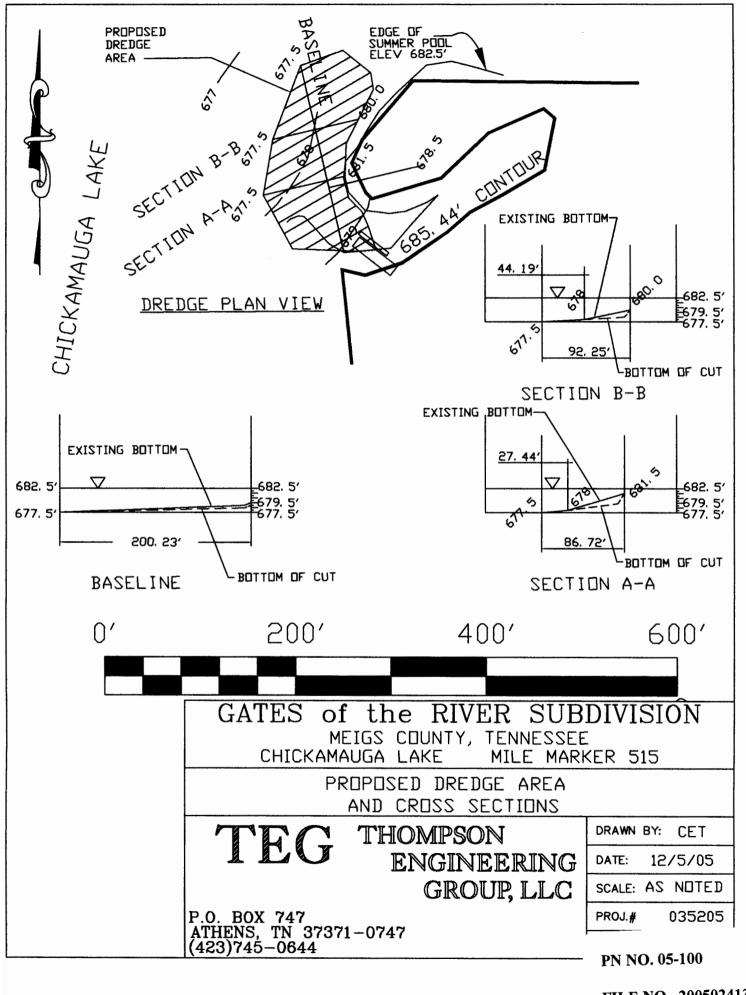
Written statements received in this office on or before January 21, 2006, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Carl Olsen, at the above address, telephone (615) 369-7513. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to:

Ms. RaSharon King TVA CHICKAMAUGA/NICKAJACK WATERSHED TEAM 1101 Market Street (PSC 1E) Chattanooga, Tennessee 37402-2801

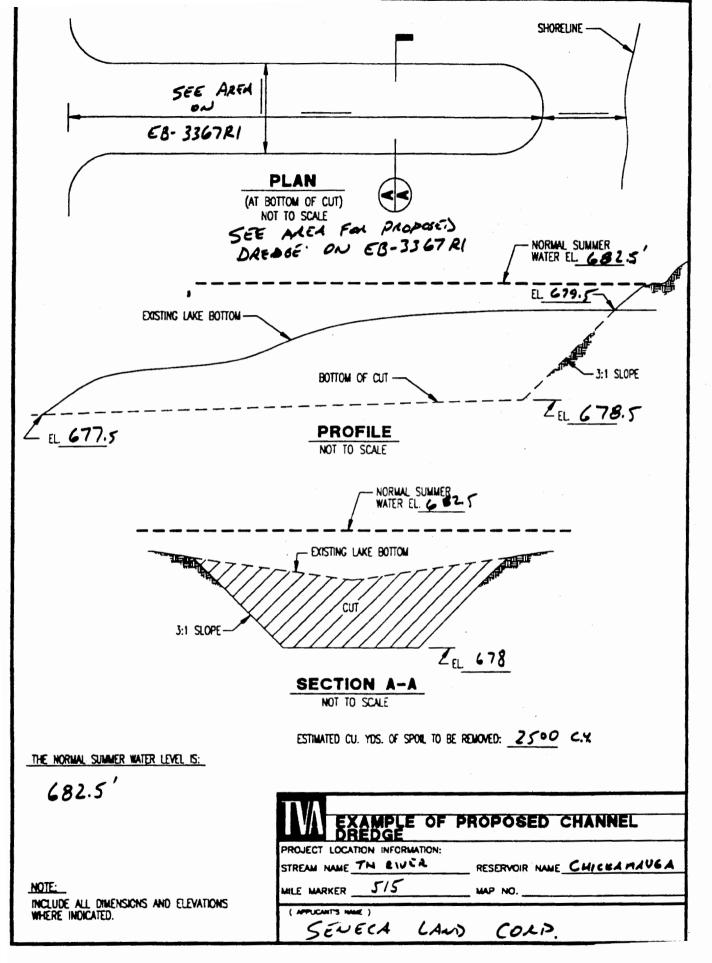




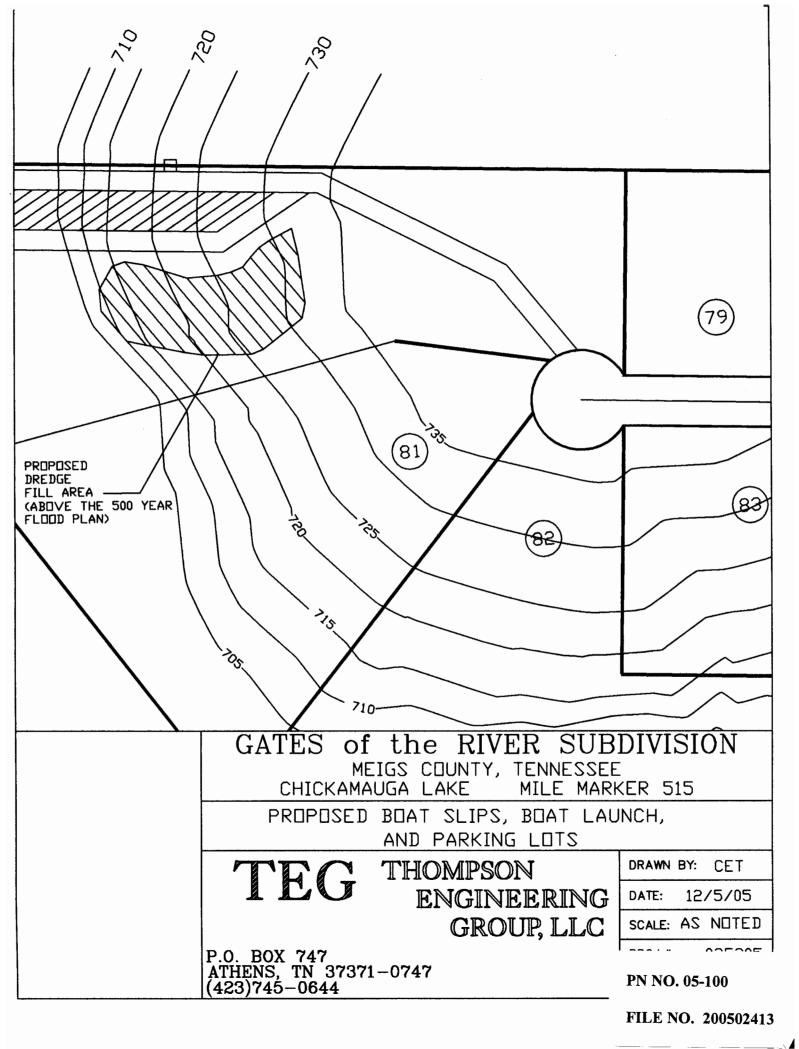


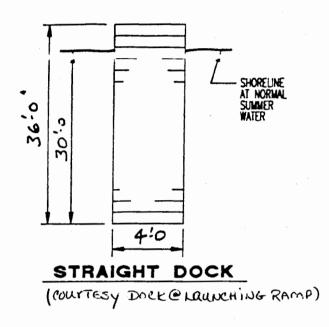


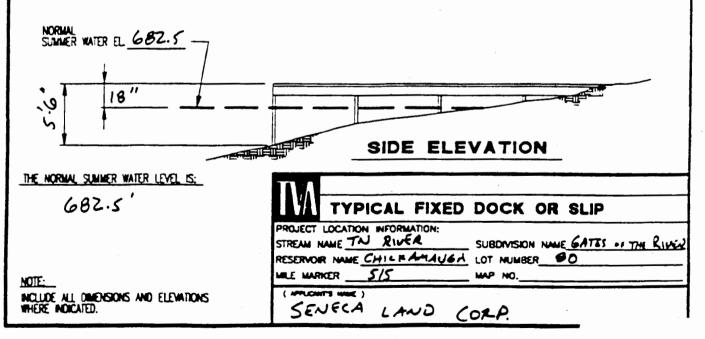
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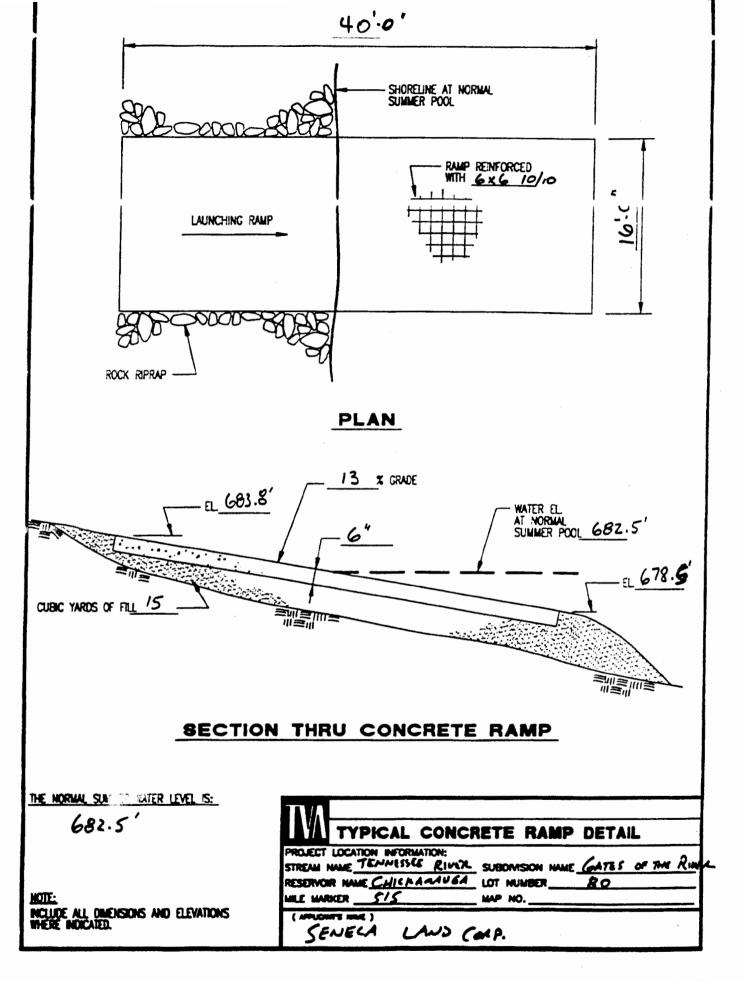
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